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Message Text

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ACTION ARA-10

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C O N F I D E N T I A L LA PAZ 1740

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FOR ACTING ASSISTANT SECRETARY LUERS

E.O. 11652: GDS
TAGS: CASC BL
SUBJ: AMERICAN PRISONERS IN BOLIVIA

REF: STATE 49657, LA PAZ 1693

ON MARCH 8 I HAD LENGTHY CONVERSATION WITH BOLIVIAN MINISTER OF INTERIOR, AIR FORCE GENERAL PEREDA, ABOUT THE AMERICAN PRISONERS. I READ HIM THE TEXT OF THE DEPARTMENT'S TELEGRAM. HE INDICATED HIS UNDERSTANDING THAT THE ISSUE IS NOW ON A GOVERNMENT-TO-GOVERNMENT LEVEL WITH POLITICAL IMPLICATIONS. HE SAID THAT THE FOREIGN MINISTER HAD SPOKEN TO HIM ABOUT THE SUBJECT THE AFTERNOON OF MARCH 7. MINISTER PEREDA SAID THAT HE REGRETTED THAT HE HAD FOUND IT MORE DIFFICULT TO MOVE THE BOLIVIAN JUDICIARY THAN HE HAD EARLIER ANTICIPATED AND HAD EXPRESSED TO US. HE SAID HE HAS NOW BECOME ACUTELY AWARE OF THE HEAVY CASE LOAD BEING CARRIED BY EACH OF THE JUDGES HANDLING THESE CASES. HE INDICATED THAT HE HAD MET WITH THE JUDGES AND HAD REVIEWED THE NECESSITY TO GET ON WITH SPEED TRIALS UNDER THE NEW NARCOTICS LAW IN ACCORDANCE WITH HIS UNDERTAKING WITH US. HE SAID THAT HE HAD FOUND SEVERAL ADMINISTRATIVE DIFFICULTIES OF WHICH HE WAS NOT AWARE BEFORE IN EXPEDITING CASES THROUGH THE JUDICIARY. HE REGRETTED THAT HE HAD NOT BEEN
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ABLE TO MEET THE INDICATED TIMETABLE BUT ASSURED ME THAT THE CASES WERE BEING ACCELERATED AND THAT HE HAD EVERY REASON TO BELIEVE THAT DECISIONS WOULD BE MADE SOON. HE ASKED FOR FURTHER US UNDERSTANDING OF THE DELICACY OF THE MINISTRY'S SEEMING TO DICTATE TO THE JUDICIARY. HE SAID HE FEARS REPURCUSSIONS INTERNALLY IF IT BECOMES KNOWN THAT HE IS ACTING TO EXPEDITE CASES FOR SELECTED NATIONALITIES. HE NOTED THAT HE IS BEING ATTACKED BY PUBLICATIONS

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OF OTHER COUNTRIES FOR BEING TOLERANT IN NARCOTICS TRAFFICKING AND IS THEREFORE SENSITIVE TO THE NEED TO RETAIN A RESPECTABLE RELATIONSHIP WITH THE JUDICIARY LESS ATTACKS INCREASE ON HIM AND THE BOLIVIAN GOVERNMENT.

2. I TOLD THE MINISTER THAT IT WAS NOT POSSIBLE FOR ME TO OFFER HIM ANY COMMITMENT ABOUT US PATIENCE IN THIS MATTER SINCE WE HAD DEMONSTRATED FOR A PROLONGED PERIOD OF TIME OUR TOLERANCE OF DELAYS IN JUDICIAL PROCESSING FOR EXPLANABLE REASONS WHICH ARE NO LONGER VALID. I TOLD HIM THAT WE MUST HAVE MOVEMENT TOWARD SATISFACTORY SOLUTIONS OF THE CASES WITHIN THE THREE CATEGORIES IN PARA 6 OF THE DEPARTMENT'S TELEGRAM WITHIN A MATTER OF DAYS. AT THIS POINT THE MINISTER SUMMONED THE SUBSECRETARY OF JUSTICE, DR LEDESMA, AND REVIEWED FOR HIM THE US GOVERNMENT'S POSITION ON US PRISONERS. LEDESMA REPORTED THAT HE HAD JUST WORKED OUT AN ARRANGEMENT FOR WILLIAM RODENBERG TO BE TRANSFERRED FROM JAIL TO A PSYCHIATRIC CLINIC. LEDESMA THEN INDICATED THAT THE JUDGES HAD DIFFICULTY WITH SPACE FOR THEIR HEARINGS, INADEQUATE POLICE AGENTS TO ACCOMPANY PRISONERS TO THE COURTS, AND OTHER ADMINISTRATIVE PROBLEMS. THE MINISTER THEREUPON ARRANGED BY TELEPHONE FOR A DETAIL OF POLICE TO BE MADE AVAILABLE SO THAT PRISONERS COULD BE BROUGHT TO THE COURTS FOR THEIR HEARINGS AND AUTHORIZED THE RENTING OF ADDITIONAL SPACE SO THAT MORE HEARINGS COULD BE HELD.

3. I THEN TOLD BOTH THE MINISTER AND THE SUBSECRETARY THAT IT WAS OF PARAMOUNT IMPORTANCE THAT SEVERAL OF THE WEAKER CASES BE ACCELERATED IMMEDIATELY. I PROPOSED THAT THEY ARRANGE TO CONCENTRATE ON THESE CASES AND MOVE THEM TO A SPEEDY CONCLUSION WITHIN A MATTER OF DAYS. THE MINISTER AND THE SUBSECRETARY INDICATED THEIR AGREE-
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MENT WITH THIS LINE AND PROMISED TO INFORM ME OF THOSE CASES SELECTED FOR IMMEDIATE CONCENTRATION AND TO TELL ME AS SOON AS POSSIBLE HOW THE PROCEDURES WILL BE WORKED OUT. I WILL REPORT FURTHER TO THE DEPARTMENT UPON RECEIPT OF INFORMATION FROM EITHER OF THESE OFFICIALS ABOUT THIS NEW LINE OF APPROACH. I MIGHT NOTE THAT I HAD EARLIER PROPOSED TO THE MINISTER THAT HE INSTRUCT THE FISCAL AND THE NARCOTICS POLICE TO NOTIFY THE COURTS THAT THEY WERE DROPPING THE CHARGES ON THE WEAKER CASES. THE MINISTER STATED THAT WHILE THIS APPROACH SEEMED ATTRACTIVE IT WAS NOT POSSIBLE UNDER BOLIVIAN LAW AND JUDICIAL PROCEDURES FOR THE EXECUTIVE BRANCH TO REFORMULATE ITS CHARGES ONCE THEY HAVE BEEN LODGED WITH THE COURTS.

4. THE MINISTER CONCLUDED OUR MEETING BY OFFERING AGAIN ASSURANCES THAT THE PRISONERS CASES WILL BE RESOLVED AS PROMPTLY AS HE CAN POSSIBLY WORK THEM OUT AND THAT HE IS AS INTERESTED AS WE TO OVERCOME A POSSIBLE COMPLICATING FACTOR IN OUR BILATERAL RELATIONS. HE ASKED ME TO NOTE TO THE DEPARTMENT THAT RECENTLY HE HAD AUTHORIZED THE EXPULSION FROM BOLIVIA OF FOUR AMERICAN CITIZENS WHO WERE PICKED UP FOR INVOLVEMENT IN NARCOTICS. RATHEN THAN ADD THEM

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TO THE PRISONER PROBLEM HE HAD AUTHORIZED THEIR DEPARTURE FROM THE
COUNTRY.
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